

## REMARKS

This Amendment is in response to the Office Action mailed June 4, 2004. The Office Action rejected claims 2, under 35 U.S.C. § 102 and rejected claims 2 and 56 under 35 U.S.C. § 112, first paragraph. Claim 2 has been amended. Claims 2, 4, 46-58 remain pending in the application. Reconsideration in light of the remarks and amendments made herein is respectfully requested.

### Rejections Under 35 U.S.C. § 102

The Office Action rejected claim 2 under 35 U.S.C. § 102(e) as being anticipated by Hirakawa et al. ("Hirakawa") (U.S. Pat. No. 6,097,358).

Referring to independent claim 2, the Office Action asserts that Hirakawa teaches the limitation - "one TV field period is divided into a plurality of sub-fields that are each given a different luminance weight and are arranged in ascending or descending order of luminance weight."

During a telephonic communication with Examiner Lewis on August 26, 2004, Applicant explained that neither Hirakawa or Ukai et al. (U.S. Pat. No. 6,278,422) teach or suggest that each sub-field be give a different luminance weight. Applicant noted that the figure on the cover of the Hirakawa patent shows several sub-fields having the same luminance weight (1, 1, 1, 1, 1, 6, 6, 6, 6, 6, 36, 36, 36, 36, 36). In Hirakawa, each sub-field does not have a different luminance weight as recited in claim 2.

Applicant notes that the claimed TV field period having a plurality of sub-fields each having a different luminance weight, has a distinct advantage over the prior art. Specifically, the dynamic range of the TV field period can be widened without having to increase the number of sub-fields.

In the Office Action of December 17, 2003, the Examiner points to Hirakawa (Col. 7, lines 55-67 and Col. 8, lines 1-40) as teaching such dynamic adjustment of the luminance weights, Applicant submits that Hirakawa only teaches that the "luminance weights of the sub-

fields may suitably be selected." (Col. 8, lines 25-26). None of the cited teachings of Hirakawa teach or suggest how or if the luminance weights of the sub-fields may be dynamically adjusted depending on the luminance range of the input image signal.

To more clearly claim that which Applicant considers a novel aspect of the invention, claim 2 has been amended to recite "n" exists such that  $W_1 + W_1 + W_2 + \dots + W_n < W_{n+1}$  where  $1 \leq n$  and  $n+1 \leq$  the number of the plurality of sub-fields." Applicant submits that such a limitation cannot be found in Hirakawa.

For the reasons noted herein, Applicant submits that Hirakawa does not teach or suggest the claimed invention. Withdrawal of the § 102(e) rejection is respectfully requested.

The Office Action also rejected claim 2 under 35 U.S.C. § 102(e) as being anticipated by Ukai et al. ("Ukai") (U.S. Pat. No. 6,278,422).

As with Hirakawa, Applicant submits that Ukai fails to teach "one TV field period is divided into a plurality of sub-fields that are each given a different luminance weight and are arranged in ascending or descending order of luminance weight."

In particular, in Figure 3 of Ukai it teaches a sequence of sub-fields having luminance weights of 1,1,9,9,27,27. Similarly, the Figure 7 of Ukai teaches a luminance weight sequence of 1,1,3,3,9,9,27,27. However, the luminance weight sequences taught by Ukai do not correspond to a construction where "one TV field period is divided into a plurality of sub-fields that are each given a different luminance weight and are arranged in ascending or descending order of luminance weight." Instead, Ukai, like Nirakawa, teaches several sub-fields having the same luminance weight (i.e., 1,1,9,9,27,27). In Ukai, each sub-field does not have a different luminance weight as in claim 2.

For the reasons noted herein, Applicant submits that Ukai does not teach or suggest the claimed invention. Withdrawal of the § 102(e) rejection is respectfully requested.

### Rejection Under 35 U.S.C. § 112

The Office Action rejected claims 2 and 56 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action notes that "the variable  $W_i$  found within the equations found on page 5 line 19, page 6 line 16, and page 36 lines 7-14, and page 44 lines 19-22 of the specification does not support  $W_i$  being found to the right of  $W_2$  and to the left of  $W_n$ ."

To comply with the written description requirement, Applicant has amended claim 2 to recite "  $n$  exists such that  $W_1+W_1+W_2+.....+ W_n < W_{n+1}$ , where  $1 \leq n$  and  $n+1 \leq$  the number of the plurality of sub-fields." Support for this can be found in page 36, line 7 of the patent application.

### Allowed Claims

Applicant notes with appreciation the Examiner's allowance of claims 4, 46-55, 57, and 58.

## CONCLUSION

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. Authorization is hereby given to charge our Deposit Account No. 19-2814 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such an extension.

Respectfully submitted,

Snell & Wilmer, L.L.P.

I hereby certify that this document is being deposited on August 27, 2004, with the U.S. Postal Service as first class mail under 37 C.F.R. §1.8 and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

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